

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO

**SENTENCING MINUTE SHEET**

CR No.	12-2658-MV	USA vs.	Lowley
Date:	November 14, 2013	Name of Deft:	Mika-Jon Lowley
Before the Honorable		Martha Vázquez	
Time In/Out:	10:35 a.m. / 11:40 a.m.	Total Time in Court (for JS10):	1 hour, 5 minutes
Clerk:	Linda Romero	Court Reporter:	Susan Sperry
AUSA:	Mark Baker	Defendant's Counsel:	Cliff McIntyre
Sentencing in:	Santa Fe, New Mexico	Interpreter:	None
Probation Officer:	Danielle Padilla	Sworn?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Convicted on:	<input checked="" type="checkbox"/> Plea <input type="checkbox"/> Verdict	As to:	<input type="checkbox"/> Information <input checked="" type="checkbox"/> Indictment
If Plea:	<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Not Accepted	Adjudged/Found Guilty on Counts:	<b>Count 2</b>
If Plea Agreement:	<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Not Accepted	No Plea Agreement	Comments:
Date of Plea/Verdict:	6/17/13	PSR:	<input checked="" type="checkbox"/> Not Disputed <input type="checkbox"/> Disputed
PSR:	<input checked="" type="checkbox"/> Court Adopts PSR Findings	Evidentiary Hearing:	<input checked="" type="checkbox"/> Not Needed <input type="checkbox"/> Needed
Exceptions to PSR:			
<b>SENTENCE IMPOSED</b>		Imprisonment (BOP): 33 months	
Supervised Release:	2 years	Probation:	<input checked="" type="checkbox"/> 500-Hour Drug Program
Court recommends ICE begin removal proceedings immediately or during service of sentence			ICE not applicable
<b>SPECIAL CONDITIONS OF SUPERVISION</b>			
<input type="checkbox"/>	No re-entry without legal authorization	<input type="checkbox"/>	Home confinement for _____ months _____ days
<input type="checkbox"/>	Comply with ICE laws and regulations	<input type="checkbox"/>	Community service for _____ months _____ days
<input checked="" type="checkbox"/>	Substance abuse treatment program	<input type="checkbox"/>	Reside residential reentry center _____ months _____ days
<input checked="" type="checkbox"/>	Mental health treatment program	<input type="checkbox"/>	Register as sex offender
<input checked="" type="checkbox"/>	No alcohol/intoxicants	<input type="checkbox"/>	Participate in sex offender treatment program
<input checked="" type="checkbox"/>	Submit to search of person/property	<input type="checkbox"/>	Possess no sexual material
<input checked="" type="checkbox"/>	No contact with victim(s) and/or co-Deft(s)	<input type="checkbox"/>	No computer with access to online services
<input type="checkbox"/>	No entering, or loitering near, victim's residence	<input type="checkbox"/>	No contact with children under 18 years
<input type="checkbox"/>	Provide financial information	<input type="checkbox"/>	No volunteering where children supervised
<input type="checkbox"/>	Grant limited waiver of confidentiality	<input type="checkbox"/>	Restricted from occupation with access to children
<input checked="" type="checkbox"/>	No synthetic or designer drugs	<input type="checkbox"/>	No loitering within 100 feet of school yards
<input checked="" type="checkbox"/>	OTHER: Defendant must be employed or enrolled in an educational program at all times. Defendant will have 30 days after his release to obtain employment. Court orders a full mental health assessment to be done on this defendant and would like to see him in her judicial review program upon his release.		
Fine: \$	500	Restitution: \$	Will remain open for 90 days
SPA: \$	100 (\$100 as to each Count)	Payment Schedule:	<input checked="" type="checkbox"/> Due Imm. <input type="checkbox"/> Waived
OTHER:	The \$500 fine and \$100 SPA must be paid by the defendant within 2 years of release from imprisonment. Both must be paid by the defendant himself through employment and not by family members. Probation office is requested to obtain copies of defendant's pay stubs and verify that the fine and SPA are paid by the defendant and not his family.		
<input type="checkbox"/>	Advised of Right to Appeal	<input checked="" type="checkbox"/>	Waived Appeal Rights per Plea Agreement
<input checked="" type="checkbox"/>	Held in Custody	<input type="checkbox"/>	Voluntary Surrender
<input checked="" type="checkbox"/>	Recommended place(s) of incarceration:	FCI Florence, CO, if eligible.	
<input checked="" type="checkbox"/>	Dismissed Counts:	Government orally moves to dismiss Counts 1 and 3, Court grants motion. Government will file motion after hearing.	

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OTHER COMMENTS	Court addresses defendant. Court addresses government counsel regarding victim and possible victim's statement. AUSA Mark Baker addresses Court. Court addresses defendant. Defendant introduces family members present in the courtroom. Probation Officer Danielle Padilla addresses Court. Defense counsel addresses Court. Defendant addresses Court and apologizes to victims. Government counsel addresses Court. Court imposes sentence.
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